

REMARKS

Status of the Application

Claims 1-20 are pending in the Application and have been examined and claims 1-3, 5, 7, 9 and 11-12 stand rejected. Applicant thanks the Examiner for acknowledging the claim for foreign priority, accepting the formal drawings and considering the references cited with the Information Disclosure Statement filed September 9, 2003.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 4, 6, 8, 10 and 13-20 would be allowed if rewritten in independent form including all the limitations of the base claim and any intervening claims. However, Applicant holds such rewriting in abeyance at this time and traverses the prior art rejections as set forth below.

Claim Rejections - 35 U.S.C. § 102(b)

The Examiner rejected claims 1-3, 5, 7, 9 and 11-12 under § 102(b) as being anticipated by Edenson et al. Applicant respectfully traverses this rejection as follows.

Edenson relates to a secure digital data distribution systems which incorporates storage media. The storage media may include DVDs, theatrical optical discs, or the like. The storage media further includes an identification module (i.e. RF module) which is configured to store information such as encryption algorithms, information about media players authorized to read and decode the information on the storage media, and copy protection information.

Claim 1 recites, *inter alia*, a recording medium and a cartridge memory inside a cartridge, wherein a copy of control information memorized in said cartridge memory is recorded in said

recording medium, and wherein the control information memorized in said cartridge memory is compared with the control information recorded in said recording medium, thereby a recording or reproducing operation of said apparatus is based on the compared result.

Accordingly, claim 1 requires: (1) a copy of control information recorded in a cartridge memory; (2) a comparison of the control information memorized in the cartridge memory to the control information recorded in the recording medium; and (3) a recording or reproducing operation being based on the compared result.

Although Edenson appears to disclose that it is not possible to access a memory medium in a cartridge if an authorization code is not received from an identification module of the memory medium, it fails to disclose comparing the copy of control information of the identification module recorded in a recording medium with the control information of the identification module and selecting a recording or reproducing operation by the control information of the identification module.

The Examiner contends that Edenson discloses this feature citing column 9, lines 23-32. However, the portion of Edenson cited by the Examiner is directed to the packaging of storage media 114 (i.e. DVDs, theatrical optical discs) in a tamper-proof cartridge 302. (*See* FIG. 3). The specific design of the cartridge 302 prevents access to the storage media 114 within the cartridge 302 unless a proper authorization code is received from the storage media's 114 identification module 116 (RF module).

In this regard, neither this portion, nor any other portion of Edenson discloses that control information in the identification module 116 is compared to control information recorded in the

storage media 114 to thereby control the operation of either the media player 118 or the projector 128, 308, i.e. recording or reproducing apparatus. To the extent that Edenson access the information stored in the identification module 116, this information is never compared to control information stored in the storage media 114.

Therefore, Applicant respectfully submits that because Edenson fails to disclose “wherein the control information memorized in said cartridge memory is compared with the control information recorded in said recording medium, thereby a recording or reproducing operation of said apparatus is based on the compared result,” claim 1 is patentably distinguishable over the applied reference. Additionally, Applicant submits that claims 2-3, 5, 7, 9 and 11-12 are allowable, at least because of their dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/657, 156

Attorney Docket No.: Q77414

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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